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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,751	01/29/2004	Jerry Moscovitch	BEW-007REIRCE	3642
54984	7590	07/06/2007	EXAMINER	
MASS ENGINEERED DESIGN INC. 474 WELLINGTON STREET WEST TORONTO, ON M5V-1E3 CANADA			VORTMAN, ANATOLY	
ART UNIT		PAPER NUMBER		
2835				
MAIL DATE		DELIVERY MODE		
07/06/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/766,751	MOSCOVITCH ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Anatoly Vortman	2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 25 June 2007 (RCE and Amendment).
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 65-67,75,76 and 80-112 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 65-67,75,76,85-106 and 108-112 is/are allowed.
- 6) Claim(s) 80-84 and 107 is/are rejected.
- 7) Claim(s) 90 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***REISSUE APPLICATION***

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application on 06/25/07 after final rejection of 01/25/07. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/25/07 has been entered.

***Claim Objections***

2. Claims 84 and 90, are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims recite "the first, second and third display panels", however all three LCD panels have been positively set forth earlier in the parent claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 80-84, and 107, are rejected under 35 U.S.C. 103(a) as being unpatentable over US/5,687,939 to Moscovitch (cited on the original patent) taken alone, or alternatively in view of JP/3,291,722 to Toshiaki (of record).

Regarding claims 80, 84 and 107, Moscovitch disclosed (Fig. 18, 19) a modular display system comprising: a base assembly (156); a first support arm (158) operably coupled to said base assembly (156); a second support arm (162) secured to said first support arm (158) and having at least a pair of coupling assemblies (198, 204) for securing to portions of first (152) and second (154) LCD display panels, a third support arm secured to said first support arm (158) and having at least one or a pair of coupling assemblies for supporting the display panels on said third support arm (column 8, lines 1+); and a column coupling assembly on the base assembly (156) to operably couple the first support arm (158) thereto (the column coupling assembly is inherently present, since the first support arm (158) (i.e., the column) is coupled to the base assembly (156)), wherein said third support arm may be readily detached from said first support arm to enable said display system to be modularly interchangeably configured to support two display panels, wherein the third support arm can support a display panel in either portrait orientation or in landscape orientation (column 1, lines 40-46; column 7, lines 11-18; claims 1, 2, 5, and 14). Moscovitch ('939) further teaches that multiple displays are useful when large amounts of information must be displayed or compared (column 1, lines 9+), but did not

explicitly state that display system may be modularly configured as a three-support arm system to support three or more display panels.

It would have been obvious to one having ordinary skill in the computer display's art at the time the invention was made, to simultaneously attach said second and a third support arms to the first support arm via additional coupling assemblies provided on the first support arm (158), in order to support additional display panels in order to augment system's capabilities of displaying and comparing large amounts of information, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Alternatively, Toshiaki teaches (Fig. 3) a computer system with three (3) display panels for displaying large amounts of information.

It would have been obvious to one having ordinary skill in the computer display's art at the time the invention was made, to simultaneously attach said second and a third support arms of Moscovitch to the first support arm in order to support additional display panels, according to the teachings of Toshiaki, in order to augment system's capabilities of displaying and comparing large amounts of information.

Further, regarding claim 81, Moscovitch disclosed that the base assembly (156) is designed to rest on the work surface (inherently).

Regarding claim 82, Moscovitch disclosed that at least one pair of coupling assemblies (198, 202) secures the rears of the first and second LCD panels to the second support arm (Fig. 19).

Regarding claim 83, Moscovitch, as modified, disclosed that the second and third support arms (162) are integral (Fig. 19).

***Allowable Subject Matter***

5. Claims 65-67, 75, 76, 85-106, and 108-112, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: regarding claims 65, 99, and 100, claim 65 recites: "a column coupling assembly"; regarding claims 66, 67, 85-90, 101, 102, and 108, claims 66 and 85 recite: "three panels in a pyramid shape" and "in an inverted pyramid shape"; regarding claims 75, 76, and 103-106, claims 75 and 76, each recites: "in the two-support arm system, the second support arm can support two display panels in either landscape orientation, using one pair of the three coupling assemblies of the second support arm, or portrait orientation, using another pair of the three coupling assemblies of the second support arm". Further, claim 76 recites: "in the three-support arm system, i) the second support arm can support two display panels in either landscape orientation, using one pair of the three coupling assemblies of the second support arm, or portrait orientation, using another pair of the three coupling assemblies of the second support arm, and ii) the third support arm can support two display panels in either the landscape orientation, using one pair of the three coupling assemblies

of the third support arm, or portrait orientation, using another pair of the three coupling assemblies of the third support arm”.

Regarding claims 91-98 and 109-112, claims 91 and 95, each recites: “b) in the one-support arm system, the first support arm can support at least two display panels, at least one in either landscape orientation or portrait orientation, using the two coupling assemblies for the first support arm, and c) in the two-support arm system, the second support arm can support two display panels, in either landscape or portrait orientations, using the coupling assemblies of the second support arm”.

The aforementioned limitations in combination with all remaining limitations of the respective claims and with all limitations of the base claim and any intervening claims, are believed to render the subject matter of the aforementioned claims allowable over the art of record.

#### *Response to Arguments*

6. No arguments regarding the statutory rejection have been presented.

#### *Conclusion*

7. Applicant is reminded of the continuing obligation under 37 CFR 1.178(b), to timely apprise the Office of any prior or concurrent proceeding in which U.S. Patent No. 6,343,006 is or was involved. These proceedings would include interferences, reissues, reexaminations, and litigation.

Applicant is further reminded of the continuing obligation under 37 CFR 1.56, to timely apprise the Office of any information which is material to patentability of the claims under consideration in this reissue application.

These obligations rest with each individual associated with the filing and prosecution of this application for reissue. See also MPEP §§ 1404, 1442.01 and 1442.04.

8. This is a RCE of applicant's earlier Application No. 10/766,751. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anatoly Vortman whose telephone number is 571-272-2047. The examiner can normally be reached on Monday-Thursday, between 10:00 am and 8:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jayprakash Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anatoly Vortman/  
Primary Examiner  
Art Unit 2835

AV